

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ORIGINAL

UNITED STATES OF AMERICA

- v. -

STEVEN MARK RUBINSTEIN
a/k/a "DaddyMark,"
a/k/a "Mark49,"
a/k/a "Marrk49,"
a/k/a "Steven1313,"
a/k/a "Steven13"

Defendant.

FELONY INFORMATION

06 Crim. 0316(cm)



COUNT ONE

The United States Attorney charges:

1. From in or about 2002, through on or about March 6, 2006, in the Southern District of New York and elsewhere, STEVEN MARK RUBINSTEIN, a/k/a "DaddyMark," a/k/a "Mark49," a/k/a "Marrk49," a/k/a "Steven1313," a/k/a "Steven13," the defendant, knowingly received and distributed material that contains child pornography that has been mailed and shipped and transported in interstate and foreign commerce by any means, including by computer, to wit, STEVEN MARK RUBINSTEIN, the defendant, received and distributed over the internet images depicting children engaging in sexually explicit conduct.

(Title 18, United States Code, Section 2252A(a)(2)(B).)

COUNT TWO

The United States Attorney further charges:

2. From in or about June 2005 through on or about March 6, 2006, in the Southern District of New York and elsewhere, STEVEN MARK RUBINSTEIN, a/k/a "DaddyMark," a/k/a

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"Mark49," a/k/a "Marrk49," a/k/a "Steven1313," a/k/a "Steven13," the defendant, using facilities and means of interstate and foreign commerce, unlawfully, willfully, and knowingly attempted to persuade, induce, and entice individuals who had not attained the age of 18 years to engage in a sexual activity for which a person can be charged with a criminal offense, to wit, STEVEN MARK RUBINSTEIN, the defendant, in communications over the internet, attempted to persuade, induce and entice two undercover officers posing as 13 year old girls to meet with him in order to engage in sexual relations.

(Title 18, United States Code, Section 2422(b).)

FORFEITURE ALLEGATION

3. As a result of committing the offenses alleged in Counts One and Two of this Information, STEVEN MARK RUBINSTEIN, a/k/a "DaddyMark," a/k/a "Mark49," a/k/a "Marrk49," a/k/a "Steven1313," a/k/a "Steven13," the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 2253, all of his right, title and interest in (i) any and all visual depictions, and any and all books, magazines, periodicals, films, videotapes, and other matter containing such visual depictions, that were produced, transported, mailed, shipped or received in violation of Chapter 110 of Title 18, United States Code; (ii) any and all property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense; and (iii) any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses alleged in Counts One and Two of this Information, including but not limited to the following: Any and all computers and computer equipment seized from the defendant's residence on March 6, 2006, including, but not limited to, one Digital Staron 700I CPU; one Dell Inspiration 8200 laptop; one D-

Link USB 2.0 Port Card Bus; one D-Link Air Plus-DWL G650; one Powercord; one thumbdrive; two Iomega 100MB zip disks; and two Fuji film 100m3 zip disks.

Substitute Asset Provision

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 2253(o), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 2253.)


MICHAEL J. GARCIA
United States Attorney